

Pro Se 14 (Rev. 12/16) Complaint for Violation of Civil Rights (Prisoner)

# UNITED STATES DISTRICT COURT

for the  
District of

RE-OPEN

Division

Case No.

8:22cv147  
(to be filled in by the Clerk's Office)

Freddie L Willis

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

City of Omaha NEBRASKA

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

FILED  
U.S. DISTRICT COURT  
DISTRICT OF NEBRASKA  
2022 APR 18 PM 2:56  
OFFICE OF THE CLERK

## COMPLAINT FOR VIOLATION OF CIVIL RIGHTS (Prisoner Complaint)

### NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

RECEIVED

APR 18 2022

CLERK  
U.S. DISTRICT COURT

**I. The Parties to This Complaint****A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

Freddie L Wilkins

All other names by which  
you have been known:

ID Number

1216286

Current Institution

Address

Douglas County Correction 710 S 04  
Omaha NE 68183 17th St  
City State Zip Code

**B. The Defendant(s)**

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. Make sure that the defendant(s) listed below are identical to those contained in the above caption. For an individual defendant, include the person's job or title (*if known*) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name

City of Omaha NE BRASKA

Job or Title (*if known*)

POLICE OFFICER TRAFFIC COP

Shield Number

Don't know

Employer

Address

OPD Omaha Police Department  
Omaha NE 68183  
City State Zip Code

☐ Individual capacity ☒ Official capacity

Defendant No. 2

Name

Job or Title (*if known*)

Shield Number

Employer

Address

City

State

Zip Code

☐ Individual capacity ☐ Official capacity

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## Defendant No. 3

Name \_\_\_\_\_

Job or Title (if known) \_\_\_\_\_

Shield Number \_\_\_\_\_

Employer \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_

State \_\_\_\_\_

Zip Code \_\_\_\_\_

☐ Individual capacity☐ Official capacity

## Defendant No. 4

Name \_\_\_\_\_

Job or Title (if known) \_\_\_\_\_

Shield Number \_\_\_\_\_

Employer \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_

State \_\_\_\_\_

Zip Code \_\_\_\_\_

☐ Individual capacity☐ Official capacity

## II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

☐ Federal officials (a *Bivens* claim)☒ State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

my 14th Amendment and  
 and my 8th Amendment  
 Legal Search and Seizure

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

14th  
 8th Amendment  
 Police officer Ramed  
 his hand in my Anal for  
 a search when I was the  
 victim. Stabbed

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Why Was my CASE dismissed  
my Rights Was Violated

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

the OFFICER WAS acting under color as Omaha Police Department, I was stabbed 3 times 4-20-20 At 2:30 AM I was taken to NEBRASKA medical center, When a OFFICER Illegally search my Anal, with-out Warrant and I WAS the Victim of a stabbing

### III. Prisoner Status

Indicate whether you are a prisoner or other confined person as follows (check all that apply):

- ☒ Pretrial detainee  
☐ Civilly committed detainee  
☐ Immigration detainee  
☐ Convicted and sentenced state prisoner  
☐ Convicted and sentenced federal prisoner  
☐ Other (explain) \_\_\_\_\_

### IV. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. If the events giving rise to your claim arose outside an institution, describe where and when they arose.

A NEBRASKA Medical Center ON 4-20-20 I was Stabbed 3 times I was a victim of a stabbing but I was Illegally Search, ANAL cavity check my Anal still Bleeds from the OFFICER ramming his hand IN my Anal

- B. If the events giving rise to your claim arose in an institution, describe where and when they arose.

NEBRASKA Medical Center  
UNMC



C. What date and approximate time did the events giving rise to your claim(s) occur?

4-20-20 - July 20 2020 at  
2:30AM At UNMC Hospital I was  
stabbed ON 33rd and Grant

D. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

I was Illegally  
Search by Omaha Police Officers, He did  
a anal cavity search while I was the victim, stabbed  
3 times, No search warrant, and my Anal is  
Damage from the officer abusing me. Yes  
another officer held me down.

#### V. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

My anal hurt when  
I have to Release Vowel movement, My Anal still  
Bleeds from the Damage he cause by Ramming  
his whole hand into my Anal, Why the case was  
Drop when the court knows he Violated my  
Constitutional Right Illegal Search, Seizure and Abuse  
Sexual Abuse By a officer on 4-20-20  
At 3:00AM

#### VI. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

500 million for Pain and  
Suffering. Anal Is ructure, AB abuse  
Emotional Damage And Embarrassed  
Humiliation, Why Is the Case Not  
going forward and City of Omaha Nebraska  
Damage my Anal for Life Due to Illegal  
Search and Seizure Charges needs to be filed

**VII. Exhaustion of Administrative Remedies Administrative Procedures**

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted."

Administrative remedies are also known as grievance procedures. Your case may be dismissed if you have not exhausted your administrative remedies.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

☐ Yes

☒ No

If yes, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

B. Does the jail, prison, or other correctional facility where your claim(s) arose have a grievance procedure?

☐ Yes

☒ No

☐ Do not know

C. Does the grievance procedure at the jail, prison, or other correctional facility where your claim(s) arose cover some or all of your claims?

☐ Yes

☒ No

☐ Do not know

If yes, which claim(s)?

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- D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose concerning the facts relating to this complaint?

☒ Yes☐ No

If no, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

☒ Yes☐ No

- E. If you did file a grievance:

1. Where did you file the grievance?

At Douglas County Correction

2. What did you claim in your grievance?

For my Anal Bleeds and Hurts  
BAD

3. What was the result, if any?

Nothing was done

4. What steps, if any, did you take to appeal that decision? Is the grievance process completed? If not, explain why not. (Describe all efforts to appeal to the highest level of the grievance process.)

No Effort from Douglas County

F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here:

I filed

2. If you did not file a grievance but you did inform officials of your claim, state who you informed, when and how, and their response, if any:

NO

G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies.

none

(Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.)

### VIII. Previous Lawsuits

The "three strikes rule" bars a prisoner from bringing a civil action or an appeal in federal court without paying the filing fee if that prisoner has "on three or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury." 28 U.S.C. § 1915(g).

To the best of your knowledge, have you had a case dismissed based on this "three strikes rule"?

☐ Yes

☒ No

If yes, state which court dismissed your case, when this occurred, and attach a copy of the order if possible.

NO



Freddie Wilk

Printed Name

(1216286) (6-7)

Data # Module #

Douglas County

DEPARTMENT OF CORRECTIONS

710 SOUTH 17TH STREET

OMAHA, NEBRASKA 68102

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APR 18 2022

CLERK  
U.S. DISTRICT COURT

68102-132277

OMAHA NE 68102

15 APR 2022 PM 3 L



Clerk US District Court  
111 South 17th Plaza Suite  
1152  
Omaha, NE, 68102-1322

